

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Craig Negoescu
Application No.: 10/758,177
Confirmation No.: 4851
Filed: January 15, 2004
Group No.: 2837
Examiner: Marlon T. Fletcher
For: ELECTRONIC MUSICAL PERFORMANCE INSTRUMENT WITH
GREATER AND DEEPER CREATIVE FLEXIBILITY

Mail Stop OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(A)**

In accordance with 37 C.F.R. § 1.181(a), Applicants hereby petition for withdrawal of the holding of abandonment dated October 18, 2007. Applicants are enclosing herewith a true and correct copy of the complete filing that responded to the Final Office Action mailed March 26, 2007. Included are:

1. Track & Confirm Message from the United States Post Office confirming that Express Mail Package EQ457498076US was delivered on August 23, 2007 and was signed for by S DYAR;
2. Applicant's executed Certificate of Express Mailing pertaining to Express Mail Package EQ457498076US;

3. Applicant's Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences with Request for Extension; and
4. Applicant's Brief on Appeal.

Further included is the Declaration of Heinz D. Grether supporting the facts surrounding the submission of this Notice of Appeal and Brief on Appeal.

No petition fee is due in this matter and, thus, none is included. Please charge any deficiency or credit any overpayment to deposit account number 20-0780/OPEN-29,267 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
HOWISON & ARNOTT, L.L.P.
Attorneys for Applicant(s)

/Gregory M. Howison Reg. #30646/
Gregory M. Howison
Registration No. 30,646

GMH/sjg
P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
December 22, 2008